

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

v.

Case No. 08-CV-173

CG SCHMIDT, INC.,

Defendant.

PROTECTIVE ORDER

THE COURT ORDERS the following pursuant to the Stipulated Protective Order submitted by the Parties:

- (1) The Parties will treat non-party personnel documents, company financial records, and documents from Mr. Jackson or the EEOC regarding Mr. Jackson's medical or financial information as "CONFIDENTIAL."
- (2) Information or documents designated as Confidential under this Stipulation must not be used or disclosed by counsel for the party receiving the confidential records or any persons identified in Subparagraph (3) for any purposes whatsoever other than preparing for and conducting the above-captioned litigation in which the information or documents were disclosed (including appeals).
- (3) Counsel for the party receiving the confidential records must not disclose or permit the disclosure of any documents or information designated as confidential under this stipulation to any other person or entity except as required to prepare for and conduct the above-captioned litigation. Notwithstanding the foregoing, disclosures may be made in the following circumstances:
 - (a) Disclosure may be made to: (1) employees or agents of counsel for the party receiving the confidential records who have direct functional responsibility for the preparation and trial of the lawsuit; (2) present and former officers, directors, agents or employees of a party; (3)

consultants or experts employed by the parties or counsel for the parties solely to assist in the preparation and trial of the lawsuit.

Prior to disclosure to any of the persons listed above, counsel must advise the person to whom the disclosure is made of the provisions of this Order requiring that the documents and information be held in confidence and used only to prepare for and to conduct the above-captioned litigation

- (4) Except as provided in Subparagraph (3), counsel for the party receiving the confidential records must keep all documents designated as Confidential which are received under this rule secure within his or her exclusive possession and must place such documents in a secure area.
- (5) The parties agree further that if any confidential documents are to be filed in open court, counsel shall confer regarding the above and either: (1) agree on the confidentiality to be given (i.e. by redaction); (2) file the material under seal; or (3) obtain a ruling from the court before filing the material not under seal. This provision shall not affect the use of such materials as exhibits at trial.
- (6) All copies, duplicates, extracts, summaries, or descriptions (hereinafter referred to collectively as "copies") of documents or information designated as Confidential under this rule, or any portion thereof, must be immediately affixed with the word "CONFIDENTIAL" if that word does not already appear.
- (7) At the conclusion of the litigation, all material not received in evidence and treated as confidential under this rule must be returned to the originating party. If the parties so stipulate, the material may be destroyed.

Dated at Milwaukee, Wisconsin, this 28th day of April, 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller
U.S. District Judge